

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LANIER CLAYTON,

Petitioner,

v.

JENNIFER BENEVIDES, WARDEN,

Respondent.

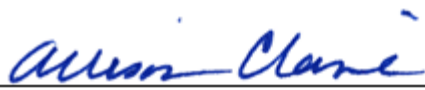
No. 2:22-cv-0452 KJM AC P

ORDER

An application for a writ of habeas corpus bearing petitioner's name was filed in this court on March 10, 2022. ECF No. 1. The face of the petition indicates that it was intended for filing in the California Court of Appeal. Id. at 1. In response to routine initial orders issued in the instant case, petition has twice informed the court that he has not filed any documents in this court and does not intend to do so. ECF Nos. 6, 7. Because petitioner expressly disavows the petition, and has plainly indicated that he does not intend to pursue federal relief at this time, the undersigned construes his inquiries as a request to voluntarily dismiss this action pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). That request will be granted.

Accordingly, IT IS HEREBY ORDERED that this action is VOLUNTARILY DISMISSED pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(1).

DATED: April 28, 2022


ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE